

REMARKS

Dependent claim 46 has been canceled. Dependent claims 43 and 45 have been amended to render the claims consistent with the amendments to independent claim 39. Claims 39 and 43-45 are now pending in this application. Applicants respectfully request a Notice of Allowance in view of the foregoing amendments and the following remarks.

Applicants thank the Examiner for the indication of allowable subject matter in dependent claim 46 if the rejection of dependent claim 46 under 35 U.S.C. 112, second paragraph is overcome. (See p. 4 of the November 15, 2008 Office Action) Dependent claim 46 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention.

Applicants have amended claim 39 to incorporate the allowable subject matter of dependent claim 46 while clarifying the claim language to address the issues under 35 U.S.C. 112, second paragraph. As amended, independent claim 39 now recites:

A method for controlling the castability of liquid steel, the method comprising:
selecting each pair of alloying elements from the group consisting of Si/O₂, S/O₂, Al/O₂, S/C, and N/C;

for the each pair of alloying elements from the group consisting of Si/O₂, S/O₂, Al/O₂, S/C, and N/C, establishing a first range of relative concentration limits in a melt such that a subsequent casting of the melt is likely to exhibit acceptable mechanical properties;

for the each pair of alloying elements from the group consisting of Si/O₂, S/O₂, Al/O₂, S/C, and N/C, establishing a respective second range of relative concentration limits as a subset of the first range of relative concentration limits such that a subsequent casting of the melt is further likely to be castable; and

casting a steel melt comprising the each pair of alloying elements from the group consisting of Si/O₂, S/O₂, Al/O₂, S/C, and N/C having relative concentration limits within the second range of relative concentration limits for the each pair of alloying elements.

Thus, the claimed invention initially refers to "each pair of alloying elements from the group consisting of Si/O₂, S/O₂, Al/O₂, S/C, and N/C." The remaining claim limitations and dependent claims have been amended for consistency therewith. Accordingly, Applicants respectfully submit that independent claim 39 as amended is now in condition for allowance.

Dependent claims 43-45 are each dependent on independent claim 39. Thus, because independent claim 39 now includes the allowable subject matter (as indicated by the Examiner), dependent claims 43-45 are also in condition for allowance.

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Conclusion

Reconsideration of the application and allowance of claims 39 and 43-45 are respectfully requested. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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